

(Added Pub. L. 100-448, §10(a), Sept. 28, 1988, 102 Stat. 1842; amended Pub. L. 105-383, title II, §205(a), Nov. 13, 1998, 112 Stat. 3415; Pub. L. 107-296, title XVII, §1704(a), Nov. 25, 2002, 116 Stat. 2314.)

#### AMENDMENTS

2002—Subsec. (c). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

1998—Pub. L. 105-383 substituted “Special agents of the Coast Guard Investigative Service law enforcement authority” for “Civilian agents authorized to carry firearms” as section catchline and amended text generally. Prior to amendment, text read as follows: “Under regulations prescribed by the Secretary with the approval of the Attorney General, civilian special agents of the Coast Guard may carry firearms or other appropriate weapons while assigned to official investigative or law enforcement duties.”

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

### § 96. Prohibition on overhaul, repair, and maintenance of Coast Guard vessels in foreign shipyards

A Coast Guard vessel the home port of which is in a State of the United States may not be overhauled, repaired, or maintained in a shipyard outside the United States, other than in the case of voyage repairs.

(Added Pub. L. 104-324, title III, §311(a), Oct. 19, 1996, 110 Stat. 3920.)

### § 97. Procurement of buoy chain

(a) Except as provided in subsection (b), the Coast Guard may not procure buoy chain—

- (1) that is not manufactured in the United States; or
- (2) substantially all of the components of which are not produced or manufactured in the United States.

(b) The Coast Guard may procure buoy chain that is not manufactured in the United States if the Secretary determines that—

- (1) the price of buoy chain manufactured in the United States is unreasonable; or
- (2) emergency circumstances exist.

(Added Pub. L. 104-324, title XI, §1128(a), Oct. 19, 1996, 110 Stat. 3984.)

### § 98. National Coast Guard Museum

(a) ESTABLISHMENT.—The Commandant may establish a National Coast Guard Museum, on lands which will be federally owned and administered by the Coast Guard, and are located in New London, Connecticut, at, or in close proximity to, the Coast Guard Academy.

(b) LIMITATION ON EXPENDITURES.—(1) Except as provided in paragraph (2), the Secretary shall not expend any appropriated Federal funds for the engineering, design, or construction of any museum established under this section.

(2) The Secretary shall fund the operation and maintenance of the National Coast Guard Museum with nonappropriated and non-Federal funds to the maximum extent practicable. The

priority use of Federal operation and maintenance funds should be to preserve and protect historic Coast Guard artifacts.

(c) FUNDING PLAN.—Before the date on which the Commandant establishes a museum under subsection (a), the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan for constructing, operating, and maintaining such a museum, including—

(1) estimated planning, engineering, design, construction, operation, and maintenance costs;

(2) the extent to which appropriated, nonappropriated, and non-Federal funds will be used for such purposes, including the extent to which there is any shortfall in funding for engineering, design, or construction; and

(3) a certification by the Inspector General of the department in which the Coast Guard is operating that the estimates provided pursuant to paragraphs (1) and (2) are reasonable and realistic.

(d) AUTHORITY.—The Commandant may not establish a Coast Guard museum except as set forth in this section.

(Added Pub. L. 108-293, title II, §213(a), Aug. 9, 2004, 118 Stat. 1037.)

## CHAPTER 7—COOPERATION WITH OTHER AGENCIES

Sec.	
141.	Cooperation with other agencies, States, territories, and political subdivisions.
142.	State Department.
143.	Treasury Department.
144.	Department of the Army and Department of the Air Force.
145.	Navy Department.
146.	United States Postal Service.
147.	Department of Commerce.
147a.	Department of Health and Human Services.
148.	Maritime instruction.
149.	Assistance to foreign governments and maritime authorities <sup>1</sup>
150.	Coast Guard officers as attachés to missions.
151.	Contracts with Government-owned establishments for work and material.
152.	Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services.

#### HISTORICAL AND REVISION NOTES

In connection with its maritime police, promoting safety of life and property at sea, and aiding navigation functions, the Coast Guard frequently finds it advisable to utilize the services of other agencies and correlatively, frequently finds its facilities useful to other agencies. This high degree of cooperation, a natural attribute of a producing and servicing agency, is important not only because it greatly promotes the quantity and quality of the services performed, but because the concentration of these functions in one agency results in savings to the Government of man-power, funds, and equipment. In the belief that legislative recognition of and specific power to continue this needed cooperation are desirable, Chapter 7 of this title contains a group of sections on cooperation with designated agencies. This is not meant to be a complete listing of cooperating

<sup>1</sup> So in original. Probably should be followed by a period.

agencies, but rather the designation of the principal ones. In addition, the first section of the chapter deals with availability of Coast Guard personnel and facilities to other agencies and the availability of other agency personnel and facilities to the Coast Guard. 81st Congress, House Report No. 557.

#### AMENDMENTS

2006—Pub. L. 109-241, title II, § 202(b), July 11, 2006, 120 Stat. 520, substituted “Assistance to foreign governments and maritime authorities” for “Detail of members to assist foreign governments.” in item 149.

2004—Pub. L. 108-293, title II, § 202(b), Aug. 9, 2004, 118 Stat. 1032, added item 152.

1996—Pub. L. 104-324, title IV, § 405(b), Oct. 19, 1996, 110 Stat. 3924, substituted “Cooperation with other agencies, States, territories, and political subdivisions” for “General” in item 141.

1984—Pub. L. 98-557, § 15(a)(4)(A)(ii), Oct. 30, 1984, 98 Stat. 2865, substituted “members” for “officers and men” in item 149.

1982—Pub. L. 97-295, § 2(6)(B), Oct. 12, 1982, 96 Stat. 1301, added item 147a.

1976—Pub. L. 94-546, § 1(12), Oct. 18, 1976, 90 Stat. 2519, substituted “United States Postal Service” for “Post Office Department” in item 146.

### § 141. Cooperation with other agencies, States, territories, and political subdivisions

(a) The Coast Guard may, when so requested by proper authority, utilize its personnel and facilities (including members of the Auxiliary and facilities governed under chapter 23) to assist any Federal agency, State, Territory, possession, or political subdivision thereof, or the District of Columbia, to perform any activity for which such personnel and facilities are especially qualified. The Commandant may prescribe conditions, including reimbursement, under which personnel and facilities may be provided under this subsection.

(b) The Coast Guard, with the consent of the head of the agency concerned, may avail itself of such officers and employees, advice, information, and facilities of any Federal agency, State, Territory, possession, or political subdivision thereof, or the District of Columbia as may be helpful in the performance of its duties. In connection with the utilization of personal services of employees of state or local governments, the Coast Guard may make payments for necessary traveling and per diem expenses as prescribed for Federal employees by the standardized Government travel regulations.

(Aug. 4, 1949, ch. 393, 63 Stat. 505; Pub. L. 104-324, title IV, § 405(a), Oct. 19, 1996, 110 Stat. 3924.)

#### HISTORICAL AND REVISION NOTES

This section is based in part on title 33, U.S.C., 1946 ed., § 756 (Mar. 3, 1915, ch. 81, § 6, 38 Stat. 928), and authorizes the Coast Guard to use its personnel and facilities to assist other Government agencies when requested and, correlatively, authorizes the Coast Guard to utilize the personnel and facilities of other agencies. It is believed desirable to have this authority spelled out by statute because in times of emergency, for example floods, it sometimes becomes most advantageous to cooperate in this manner. 81st Congress, House Report No. 557.

#### AMENDMENTS

1996—Pub. L. 104-324, § 405(a)(1), amended section catchline generally, substituting “Cooperation with other agencies, States, territories, and political subdivisions” for “General”.

Subsec. (a). Pub. L. 104-324, § 405(a)(2), (3), inserted “(including members of the Auxiliary and facilities governed under chapter 23)” after “personnel and facilities” and “The Commandant may prescribe conditions, including reimbursement, under which personnel and facilities may be provided under this subsection.” at end.

#### MEDICAL EMERGENCY HELICOPTER TRANSPORTATION SERVICES TO CIVILIANS; AUTHORIZATION TO COAST GUARD COMMANDANT

Pub. L. 95-61, § 8, July 1, 1977, 91 Stat. 260, which authorized Coast Guard to assist Department of Health, Education, and Welfare in providing medical emergency helicopter services to civilians, if assistance was provided in areas of regular Coast Guard unit assignment, did not interfere with Coast Guard mission, or increase required Coast Guard operating funds, and further providing that no individual (or his estate) operating within scope of his duties under this section's program would be civilly liable for damage caused incident thereto, was repealed and reenacted as section 147a of this title by Pub. L. 97-295, §§ 2(6)(A), 6(b), Oct. 12, 1982, 96 Stat. 1301, 1314.

### § 142. State Department

The Coast Guard, through the Secretary, may exchange information, through the Secretary of State, with foreign governments and suggest to the Secretary of State international collaboration and conferences on all matters dealing with the safety of life and property at sea, other than radio communication.

(Aug. 4, 1949, ch. 393, 63 Stat. 505.)

#### HISTORICAL AND REVISION NOTES

Because of the numerous situations in which it is necessary for the Coast Guard to deal with foreign governments, particularly in the field of safety of life and property at sea, the Coast Guard and the State Department agree that a provision such as this is desirable.

The international character of many Coast Guard functions makes it more and more necessary for the Service to be an initiating or participating agency in international collaboration. Examples of international meetings concerned with matters affecting the Coast Guard include those which dealt with the International Rules of the Road, international load lines, the International Code of Signals, safety at sea, and international telecommunications. It is highly desirable that there be a clear-cut legislative expression of Coast Guard cooperation with the State Department on proposed international conferences dealing with various phases of Coast Guard activities, such as aids to navigation, life-saving equipment, navigation and communication equipment other than radio communication, regulation of dangerous cargoes, international rules of the road, safety requirements and equipment of transoceanic aircraft and vessels, and safe manning standards and efficiency of personnel employed on transoceanic aircraft and vessels. Provisions for similar relationship between the Civil Aeronautical Board and the State Department appear in the act of June 23, 1938, as amended, 52 Stat. 984 (title 49, U.S.C., 1946 ed., §§ 425(c), 602). 81st Congress, House Report No. 557.

### § 143. Treasury Department

Commissioned, warrant, and petty officers of the Coast Guard are deemed to be officers of the customs and when so acting shall, insofar as performance of the duties relating to customs laws are concerned, be subject to regulations issued by the Secretary of the Treasury governing officers of the customs.

(Aug. 4, 1949, ch. 393, 63 Stat. 506.)

## HISTORICAL AND REVISION NOTES

Based on title 19, U.S.C., 1946 ed., §§1401(l), 1709(b) (Aug. 5, 1935, ch. 435, title II, §201, 49 Stat. 521; Aug. 5, 1935, ch. 438, title IV, §401, 49 Stat. 529).

This section will not repeal the sections cited above, but makes further provision that Coast Guard personnel when acting as officers of the customs shall, insofar as enforcing customs laws are concerned, be subject to regulations governing regular officers of the customs. 81st Congress, House Report No. 557.

#### § 144. Department of the Army and Department of the Air Force

(a) The Secretary of the Army or the Secretary of the Air Force at the request of the Secretary may, with or without reimbursement for the cost thereof, as agreed, receive members of the Coast Guard for instruction in any school, including any aviation school, maintained by the Army or the Air Force, and such members shall be subject to the regulations governing such schools.

(b) Officers and enlisted men of the Coast Guard shall be permitted to purchase quartermaster supplies from the Army at the same price as is charged the officers and enlisted men of the Army.

(c) Articles of ordnance property may be sold by the Secretary of the Army to officers of the Coast Guard for their use in the public service in the same manner as these articles are sold to officers of the Army.

(Aug. 4, 1949, ch. 393, 63 Stat. 506; Pub. L. 94-546, §1(10), Oct. 18, 1976, 90 Stat. 2519; Pub. L. 98-557, §15(a)(3)(D), Oct. 30, 1984, 98 Stat. 2865.)

## HISTORICAL AND REVISION NOTES

Subsection (a) is based on title 14, U.S.C., 1946 ed., §28 (Aug. 29, 1916, ch. 417, 39 Stat. 601). Section has been enlarged to include the Air Force as well as the Army, and to include all schools maintained by the Army or Air Force, rather than aviation schools only. Reimbursement is made optional depending upon agreement of the Secretaries.

Subsection (b) is based on title 14, U.S.C., 1946 ed., §31 (Mar. 6, 1920, ch. 94, §1, 41 Stat. 506).

Subsection (c) is based on title 14, U.S.C., 1946 ed., §31a (Mar. 3, 1909, ch. 252, 35 Stat. 751; Apr. 15, 1937, ch. 101, 50 Stat. 65).

Changes were made in phraseology. 81st Congress, House Report No. 557.

## AMENDMENTS

1984—Subsec. (a). Pub. L. 98-557 substituted reference to members for reference to officers and enlisted men in two places.

1976—Subsec. (a). Pub. L. 94-546, §1(10)(a), substituted “at the request of the Secretary” for “at the request of the Secretary of the Treasury”.

Subsec. (c). Pub. L. 94-546, §1(10)(b), substituted “Secretary of the Army” for “Chief of Ordnance”.

#### § 145. Navy Department

(a) The Secretary of the Navy, at the request of the Secretary may, with or without reimbursement for the cost thereof, as agreed:

(1) build any vessel for the Coast Guard at such Navy yards as the Secretary of the Navy may designate;

(2) receive members of the Coast Guard for instruction in any school, including any aviation school maintained by the Navy, and such members shall be subject to the regulations governing such schools; and

(3) permit personnel of the Coast Guard and their dependents to occupy any public quarters maintained by the Navy and available for the purpose.

(b) Officers and enlisted men of the Coast Guard shall be permitted to purchase quartermaster supplies from the Navy and the Marine Corps at the same price as is charged the officers and enlisted men of the Navy and Marine Corps.

(c) When the Coast Guard is operating in the Department of Homeland Security, the Secretary shall provide for such peacetime training and planning of reserve strength and facilities as is necessary to insure an organized, manned, and equipped Coast Guard when it is required for wartime operation in the Navy. To this end, the Secretary of the Navy for the Navy, and the Secretary of Homeland Security, for the Coast Guard, may from time to time exchange such information, make available to each other such personnel, vessels, facilities, and equipment, and agree to undertake such assignments and functions for each other as they may agree are necessary and advisable.

(Aug. 4, 1949, ch. 393, 63 Stat. 506; Aug. 3, 1950, ch. 536, §3, 64 Stat. 406; Pub. L. 94-546, §1(11), Oct. 18, 1976, 90 Stat. 2519; Pub. L. 98-557, §15(a)(3)(D), Oct. 30, 1984, 98 Stat. 2865; Pub. L. 107-296, title XVII, §1704(a), Nov. 25, 2002, 116 Stat. 2314.)

## HISTORICAL AND REVISION NOTES

Subsection (a) is based on title 14, U.S.C., 1946 ed., §§28, 42, 57 (Aug. 29, 1916, ch. 417, 39 Stat. 601; July 3, 1926, ch. 742, §11, 44 Stat. 817.) Subsection is enlarged to make reimbursement for the building of ships or the training of personnel dependent on agreement of the Secretaries, and to include all schools operated by the Navy, rather than aviation schools only.

Subsection (b) is based on title 14, U.S.C., 1946 ed., §31 (Mar. 6, 1920, ch. 94, §1, 41 Stat. 506).

Subsection (c) is new. This subsection enacts what has been the practice of the Navy and Coast Guard in keeping the Coast Guard trained to “come on board with some muscle” in time of emergency.

Section 3 of this title deals with the relationship of the Coast Guard to the Navy Department. This section deals with cooperation with the Navy. Whereas the status of the Coast Guard in time of war was treated in chapter 1 of this title, this section has application in time of peace when the Coast Guard is not under the Navy Department.

Changes were made in phraseology. 81st Congress, House Report No. 557.

## AMENDMENTS

2002—Subsec. (c). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation” in two places.

1984—Subsec. (a)(2). Pub. L. 98-557 substituted reference to members for reference to officers and enlisted men in two places.

1976—Subsec. (a). Pub. L. 94-546, §1(11)(a), substituted “at the request of the Secretary” for “at the request of the Secretary of the Treasury”.

Subsec. (c). Pub. L. 94-546, §1(11)(b), substituted in first sentence “Department of Transportation” for “Treasury Department” and in second sentence “Secretary of Transportation” for “Secretary of the Treasury”.

1950—Subsec. (a)(3). Act Aug. 3, 1950, added par. (3).

## EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of

Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

#### § 146. United States Postal Service

Coast Guard facilities and personnel may be utilized for the transportation and delivery of mail matter during emergency conditions or at isolated locations under such arrangements as may be satisfactory to the Secretary and the United States Postal Service.

(Aug. 4, 1949, ch. 393, 63 Stat. 506; Pub. L. 94-546, §1(12), Oct. 18, 1976, 90 Stat. 2519; Pub. L. 99-640, §10(a)(5), Nov. 10, 1986, 100 Stat. 3549.)

##### HISTORICAL AND REVISION NOTES

This section provides generally for what has been the practice between the Coast Guard and the Post Office Department in Alaska for years. The authorization is limited to emergency conditions or isolated locations. 81st Congress, House Report No. 557.

##### AMENDMENTS

1986—Pub. L. 99-640 substituted “United States Postal Service” for “Postmaster General”.

1976—Pub. L. 94-546 substituted “United States Postal Service” for “Post Office Department” in section catchline.

#### § 147. Department of Commerce

In order to promote the safety of life and property on and over the high seas and waters over which the United States has jurisdiction, and to facilitate the preparation and dissemination by the National Oceanic and Atmospheric Administration of the weather reports, forecasts, and warnings essential to the safe and efficient conduct of domestic and international commerce on and over such seas and waters, the Commandant may cooperate with the Administrator, National Oceanic and Atmospheric Administration by procuring, maintaining, and making available, facilities and assistance for observing, investigating, and communicating weather phenomena and for disseminating weather data, forecasts and warnings, the mutually satisfactory terms of such cooperation in weather service to be agreed upon and arranged between the Commandant and the Administrator, National Oceanic and Atmospheric Administration.

(Aug. 4, 1949, ch. 393, 63 Stat. 507; Pub. L. 94-546, §1(13), Oct. 18, 1976, 90 Stat. 2520; Pub. L. 97-295, §2(5), Oct. 12, 1982, 96 Stat. 1301.)

##### HISTORICAL AND REVISION NOTES

This section outlines the sphere of cooperation between the Weather Bureau and the Coast Guard. It would not permit any cooperation that has not been carried on in the past.

Although the Coast Guard has always cooperated closely with the Weather Bureau, positive recognition of this has never appeared in the statutes. In its patrol, its aiding navigation, and its life saving activities, the Coast Guard finds it important to make, receive and transmit weather observations and measurements. Furthermore, with the advent of war, weather reporting, particularly mid-Atlantic weather patrol work, assumed increasing importance, and this extensive weather station manning in cooperation with the Weather Bureau must be provided for in the postwar period. This section providing for such close cooperation with the Weather Bureau in weather reporting would crystallize the cooperative practices of the two

agencies as they have operated for years. 81st Congress, House Report No. 557.

##### AMENDMENTS

1982—Pub. L. 97-295 substituted “Administration” for “Administration” after “Atmospheric”.

1976—Pub. L. 94-546 substituted references to the National Oceanic and Atmospheric Administration and to the Administrator, National Oceanic and Atmospheric Administration for references to the Weather Bureau and to the Chief of the Weather Bureau.

#### § 147a. Department of Health and Human Services

(a) The Commandant may assist the Secretary of Health and Human Services in providing medical emergency helicopter transportation services to civilians. The Commandant may prescribe conditions, including reimbursement, under which resources may be provided under this section. The following specific limitations apply to assistance provided under this section:

(1) Assistance may be provided only in areas where Coast Guard units able to provide the assistance are regularly assigned. Coast Guard units may not be transferred from one area to another to provide the assistance.

(2) Assistance may be provided only to the extent it does not interfere with the performance of the Coast Guard mission.

(3) Providing assistance may not cause an increase in amounts required for the operation of the Coast Guard.

(b) An individual (or the estate of that individual) who is authorized by the Coast Guard to provide a service under a program established under subsection (a) and who is acting within the scope of that individual’s duties is not liable for injury to, or loss of, property or personal injury or death that may be caused incident to providing the service.

(Added Pub. L. 97-295, §2(6)(A), Oct. 12, 1982, 96 Stat. 1301.)

##### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
147a .....	14:141 (note).	July 1, 1977, Pub. L. 95-61, §8, 91 Stat. 260.

In subsection (a), the words “Secretary of Health and Human Services” are substituted for “Department of Health, Education, and Welfare” because of 20:3508(b) and because the responsibility is in the head of the Department. The word “may” is substituted for “is authorized to” for clarity. The word “conditions” is substituted for “terms and conditions” because it is inclusive. The words “deems appropriate” are omitted as unnecessary. The words “The following . . . limitations apply” are substituted for “shall be subject to the following . . . limitations” for clarity.

##### SIMILAR PROVISIONS

Similar provisions were contained in section 8 of Pub. L. 95-61 which was formerly set out as a note under section 141 of this title.

#### § 148. Maritime instruction

The Coast Guard may, when so requested by proper authority, detail members for duty in connection with maritime instruction and training by the several States, Territories, the Dis-

tract of Columbia, and Puerto Rico, and when requested by the Maritime Administrator, detail persons in the Coast Guard for duty in connection with maritime instruction and training by the United States. The service rendered by any person so detailed shall be considered Coast Guard duty.

(Aug. 4, 1949, ch. 393, 63 Stat. 507; Pub. L. 97-31, § 12(4), Aug. 6, 1981, 95 Stat. 154; Pub. L. 98-557, § 15(a)(3)(D), Oct. 30, 1984, 98 Stat. 2865.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 49 (Aug. 4, 1939, ch. 416, 53 Stat. 1181).

Changes were made in phraseology. 81st Congress, House Report No. 557.

#### AMENDMENTS

1984—Pub. L. 98-557 substituted reference to members for reference to officers and enlisted men.

1981—Pub. L. 97-31 substituted “Maritime Administrator” for “United States Maritime Commission”.

### § 149. Assistance to foreign governments and maritime authorities

(a) **DETAIL OF MEMBERS TO ASSIST FOREIGN GOVERNMENTS.**—The President may upon application from the foreign governments concerned, and whenever in his discretion the public interests render such a course advisable, detail members of the Coast Guard to assist foreign governments in matters concerning which the Coast Guard may be of assistance. Members so detailed may accept, from the government to which detailed, offices and such compensation and emoluments thereunder appertaining as may be first approved by the Secretary. While so detailed such members shall receive, in addition to the compensation and emoluments allowed them by such governments, the pay and allowances to which they are entitled in the Coast Guard and shall be allowed the same credit for longevity, retirement, and for all other purposes that they would receive if they were serving with the Coast Guard.

(b) **TECHNICAL ASSISTANCE TO FOREIGN MARITIME AUTHORITIES.**—The Commandant, in coordination with the Secretary of State, may provide, in conjunction with regular Coast Guard operations, technical assistance (including law enforcement and maritime safety and security training) to foreign navies, coast guards, and other maritime authorities.

(Aug. 4, 1949, ch. 393, 63 Stat. 507; Pub. L. 98-557, § 15(a)(3)(D), (E), (4)(A)(i), Oct. 30, 1984, 98 Stat. 2865; Pub. L. 109-241, title II, § 202(a), July 11, 2006, 120 Stat. 520.)

#### HISTORICAL AND REVISION NOTES

Derived from title 34, U.S.C., 1946 ed., § 441a (May 19, 1926, ch. 334, 44 Stat. 565; May 14, 1935, ch. 109, 49 Stat. 218; Oct. 1, 1942, ch. 571, 56 Stat. 763; 1946 Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352).

Experience has indicated that it will be advantageous for the Government to include the Coast Guard along with the other armed forces for the purpose of detailing personnel for service with foreign governments.

It seems probable that the increased collaboration with foreign governments after the war and the vital nature of the Coast Guard's activities in relation to such collaboration will result in requests from time to time by foreign governments for assistance which the

Coast Guard is in the best position to render. This section, which confers broad authority in the President to detail Coast Guard officers and enlisted men to assist foreign governments, is patterned after the act of October 1, 1942, 56 Stat. 763 (title 34, U.S.C., 1946 ed., § 441-a), which authorizes the President to detail Army, Navy, and Marine Corps officers and men to certain foreign governments and, in times of war or national emergency, to any foreign government in the interests of national defense. 81st Congress, House Report No. 557.

#### AMENDMENTS

2006—Pub. L. 109-241 substituted “Assistance to foreign governments and maritime authorities” for “Detail of members to assist foreign governments” in section catchline, designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1984—Pub. L. 98-557 substituted reference to members for reference to officers and enlisted men in three places in text, and in catchline substituted “members” for “officers and men”.

#### DELEGATION OF AUTHORITY

Authority of President under this section as invoked by section 2 of Ex. Ord. No. 13223, Sept. 14, 2001, 66 F.R. 48201, as amended, delegated to Secretary of Homeland Security by section 5 of Ex. Ord. No. 13223, set out as a note under section 12302 of Title 10, Armed Forces.

### § 150. Coast Guard officers as attachés to missions

Commissioned officers may, with the consent of the Secretary of State, be regularly and officially attached to the diplomatic missions of the United States in those nations with which the United States is extensively engaged in maritime commerce. Expenses for the maintenance of such Coast Guard attachés abroad, including office rental and pay of employees and allowances for living quarters, including heat, fuel, and light, may be defrayed by the Coast Guard.

(Aug. 4, 1949, ch. 393, 63 Stat. 507.)

#### HISTORICAL AND REVISION NOTES

Experience since the war has indicated the necessity for making provision for the assignment of Coast Guard officers to diplomatic missions in those foreign countries which are extensively engaged in maritime commerce with the United States. This is largely the result of duties in connection with inspection of merchant vessels.

This section authorizes the designation, with the consent of the State Department, of Coast Guard officers to be officially attached to diplomatic missions of the United States. Although Coast Guard advice on Coast Guard matters is always available to our diplomatic missions, in those locations where such advice and information are frequently sought, it is felt that the most effective utilization of Coast Guard services would be achieved by having Coast Guard officers attached to such missions. Provision for customs officers to be attached to diplomatic missions is contained in the act of March 4, 1923, as amended, 42 Stat. 1453 (title 19, U.S.C., 1946 ed., § 6). Before the transfer in 1939 of the Foreign Agriculture Service to the State Department, representatives of the Bureau of Agricultural Economics of the Department of Agriculture stationed abroad were agricultural attachés. Act of June 5, 1930, 46 Stat. 498 (title 7, U.S.C., 1946 ed., § 542(a)). 81st Congress, House Report No. 557.

### § 151. Contracts with Government-owned establishments for work and material

All orders or contracts for work or material, under authorization of law, placed with Govern-

ment-owned establishments by the Coast Guard, shall be considered as obligations in the same manner as provided for similar orders or contracts placed with private contractors, and appropriations for such work or material shall remain available for payment therefor as in the case of orders or contracts placed with private contractors.

(Aug. 4, 1949, ch. 393, 63 Stat. 507.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §31c (June 6, 1942, ch. 384, 56 Stat. 328). 81st Congress, House Report No. 557.

### § 152. Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services

The Coast Guard Exchange System, or a morale, welfare, and recreation system of the Coast Guard, may enter into a contract or other agreement with any element or instrumentality of the Coast Guard or with another Federal department, agency, or instrumentality to provide or obtain goods and services beneficial to the efficient management and operation of the Coast Guard Exchange System or that morale, welfare, and recreation system.

(Added Pub. L. 108-293, title II, §202(a), Aug. 9, 2004, 118 Stat. 1031.)

## CHAPTER 9—COAST GUARD ACADEMY

- |       |   |
|-------|---|
| Sec.  |   |
| 181.  | Administration of Academy.  |
| 181a. | Cadet applicants; preappointment travel to Academy.                       |
| 182.  | Cadets; number, appointment, obligation to serve.                         |
| 183.  | Cadets; initial clothing allowance.                                       |
| 184.  | Cadets; degree of bachelor of science.                                    |
| 185.  | Cadets; appointment as ensign.  |
| 186.  | Civilian teaching staff.  |
| 187.  | Permanent commissioned teaching staff; composition.                       |
| 188.  | Appointment of permanent commissioned teaching staff.                     |
| 189.  | Grade of permanent commissioned teaching staff.                           |
| 190.  | Retirement of permanent commissioned teaching staff.                      |
| 191.  | Credit for service as member of civilian teaching staff.                  |
| 192.  | Assignment of personnel as instructors.                                   |
| 193.  | Advisory Committee.   |
| 194.  | Annual Board of Visitors.   |
| 195.  | Admission of foreign nationals for instruction; restrictions; conditions. |
| 196.  | Participation in Federal, State, or other educational research grants.    |
| 197.  | Cadets; charges and fees for attendance; limitation.                      |
| 198.  | Coast Guard history fellowships <sup>1</sup>                              |

#### AMENDMENTS

2006—Pub. L. 109-241, title II, §209(b), July 11, 2006, 120 Stat. 523, added item 198.

2004—Pub. L. 108-375, div. A, title V, §545(d)(2), Oct. 28, 2004, 118 Stat. 1909, added item 197.

1993—Pub. L. 103-206, title III, §305(b), Dec. 20, 1993, 107 Stat. 2425, added item 196.

1984—Pub. L. 98-557, §24(b), Oct. 30, 1984, 98 Stat. 2872, added item 181a.

<sup>1</sup> So in original. Probably should be followed by a period.

1982—Pub. L. 97-295, §2(7)(A), Oct. 12, 1982, 96 Stat. 1301, substituted “Civilian teaching staff” for “Civilian instructors” in item 186.

Pub. L. 97-295, §2(7)(B), Oct. 12, 1982, 96 Stat. 1301, substituted “foreign nationals” for “foreigners” in item 195.

1970—Pub. L. 91-278, §1(7), June 12, 1970, 84 Stat. 305, added item 195.

1960—Pub. L. 86-474, §1(15), May 14, 1960, 74 Stat. 146, substituted “member of civilian teaching staff” for “civilian instructor” in item 191.

### § 181. Administration of Academy

The immediate government and military command of the Coast Guard Academy shall be in the Superintendent of the Academy, subject to the direction of the Commandant under the general supervision of the Secretary. The Commandant may select a superintendent from the active list of the Coast Guard who shall serve in the pleasure of the Commandant.

(Aug. 4, 1949, ch. 393, 63 Stat. 508.)

#### HISTORICAL AND REVISION NOTES

This section does not change the present method of administration of the Academy. It makes statutory what has been administrative regulation heretofore, and it is believed highly desirable to make the control of an institution of such national interest as the Academy the subject of a statute.

This section is new. There is no provision in existing law which establishes the Academy and sets it up as an operating unit. Nor is there any provision which creates the office of Superintendent of the Academy, or prescribes his duties and functions. Heretofore this has been accomplished by regulations, and the laws which deal with the Academy assume its existence as a going institution and assume the existence of the Superintendent with certain defined functions and duties. This section continues the Academy as previously established, provides for the appointment of the Superintendent by the Commandant, and defines in general terms his functions. The Academy would thus be placed on a definite statutory basis, and the office of Superintendent would be a statutory position, but the present administration of the Academy would in no way be interfered with. 81st Congress, House Report No. 557.

### § 181a. Cadet applicants; preappointment travel to Academy

The Secretary is authorized to expend appropriated funds for selective preappointment travel to the Academy for orientation visits of cadet applicants.

(Added Pub. L. 98-557, §24(a), Oct. 30, 1984, 98 Stat. 2872.)

### § 182. Cadets; number, appointment, obligation to serve

(a) The number of cadets appointed annually to the Academy shall be as determined by the Secretary but the number appointed in any one year shall not exceed six hundred. Appointments to cadetships shall be made under regulations prescribed by the Secretary, who shall determine age limits, methods of selection of applicants, term of service as a cadet before graduation, and all other matters affecting such appointments. All such appointments shall be made without regard to the sex, race, color, or religious beliefs of an applicant. In the administration of this chapter, the Secretary shall take